



UNITED STATES **PARTMENT OF COMMERCE**  
**Patent and Trademark Office**

Patent Cooperation Treaty  
Legal Office

Address: Assistant Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

MAY 23 2000

Rupert B. Hurley Jr.  
CRYOVAC, INC.  
P.O. Box 464  
Duncan, South Carolina 29334

In re Application of  
Larry DEPOORTER, et al.  
Serial No.: 09/466,807  
PCT No.: PCT/US98/06854  
Int. Filing Date: 03 April 1998  
Priority Date: 04 April 1997  
For: PATCH BAG HAVING SEAL  
THROUGH PATCHES

DECISION ON  
PETITION  
UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 23 December 1999 in the above-captioned application is hereby **GRANTED** as follows:

The appropriate petition fee as required by 37 CFR 1.17(m) has been charged to Deposit Account No. 07-1765 as authorized in the petition.

All of the requirements of 37 CFR 1.137(b) for revival have been submitted. Applicants' counsel stated that "the entire delay in filing the required reply or other required action, from the due date for the reply or other action, until the filing of this petition under 37 CFR 1.137(b) was unintentional" as required by 37 CFR 1.137(b)(3) at the time of filing this petition.

A review of the application file reveals that the declaration of the inventors in compliance with 37 CFR 1.497 has not been submitted. Accordingly an amount of \$130.00 (fee code 154) representing the surcharge for filing an oath or declaration after 30 months has been charged to Counsel's Deposit Account No. 07-1765, as authorized in the petition.

The request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

The application is being forwarded to the United States Designated/Elected Office for

further processing, including the issuance of a Notification of Missing Requirements under 35 U.S.C. 371(c) and 37 CFR 1.495 (Form PCT/DO/ EO/905).

*Leonard E. Smith*

Leonard E. Smith  
PCT Legal Examiner  
PCT Legal Office

NNH/LES:hn

*Nguyễn Ngọc Hô*

Nguyễn Ngọc-Hô  
Paralegal Specialist  
PCT Legal Office

Tel: (703) 308-6508